

INSTRUCTIONS FOR FILING AN ANSWER

What is an *Answer*?

The answer is your response to the plaintiff's complaint. In the answer, you will tell the court which parts of the answer you agree with, and which parts you disagree with. The answer form also allows you to tell the court if you think it does not have [jurisdiction](#) to make a decision, and to counterclaim by asking for what you want.

What will happen if I do not file one?

If you do not file an answer, the plaintiff may ask the court to [default](#) you.

Do I need to tell the court why I disagree with the plaintiff?

No. Both the complaint and answer should contain nothing but the facts: who everyone is, and what it is you want. At this point, no one has to justify anything or explain what happened. If the case is [contested](#), you will have the opportunity to make your arguments at trial.

How do I fill out the answer form?

It will be a lot easier to fill out the forms if you first glance through them to get an idea of how they are structured.

- 1) Start with the complaint. It will probably have two sections:
 - A. the "Complaint";
 - B. the "Prayer for Relief."
- 2) Next, look at the answer form. It has four sections:
 - A. the "Answer," which is 13 check-the-box paragraphs;
 - B. the "Affirmative Defenses," which is one page of questions;
 - C. the "Counterclaim," which goes on for a number of pages asking lots of questions about property and/or children (depending on the type of case you have);
 - D. the "Prayer for Relief," which tells the court what specific things you want the court to order.
- 3) Once you understand the layout of the two documents, you are ready to begin filling out the answer. Keep the complaint handy, because you will need to refer to it as you go through the answer.
 - A. Beginning at the top of the answer, put your name, mailing address and contact phone number. Then fill out the rest of the top portion exactly as it is filled out on the complaint, i.e. location of court, plaintiff's name, defendant's name and case number.
 - B. Once you have the top portion of the answer filled out, you can begin checking the appropriate boxes in the answer. Look at paragraph 1 on the complaint and decide whether you agree,

disagree, or do not understand what the plaintiff is trying to say. Mark the appropriate box on the answer.

- C. Continue in this way through each paragraph of the complaint, marking the appropriate box for each corresponding paragraph on the answer. It is very likely that the complaint has only 6 –7 paragraphs, while the answer has 13 paragraphs. Once you have run out of paragraphs in the complaint, simply mark the last box of each remaining paragraph in the answer, “There is no ____ paragraph in the complaint.”
 - D. Once the answer section is completed, you can now consider whether you have any [affirmative defenses](#). If you are unsure whether a question might apply to you, you are strongly encouraged to [consult with an attorney](#) because this is a very complicated and important area. If you have no affirmative defenses, mark the box at the beginning of the section that says “I have no affirmative defenses” and go to the next page.
 - E. The next section is called the “Counterclaim.” In this section, you tell the court your version of the facts and what you want. Read each question carefully and answer it fully. If you agree with everything in the complaint and do not have any counterclaims, mark the box at the beginning of the section that says “I have no counterclaims” and go to the last section.
 - F. The last section is the “Prayer for Relief.” Check the boxes that correspond to what you want the court to order.
4. When all three sections are complete (the answer, the affirmative defenses and the counterclaims), sign the form and prepare any other necessary documents. You must complete the [certificate of service](#) so that the court knows when you sent a copy to the plaintiff. If you have children, you must also attach a Child Custody Jurisdiction Affidavit, [DR-150](#) and a Child Support Guidelines Affidavit, [DR-305](#).
5. Make two copies of everything – one for you and one for the plaintiff. File the original answer and attachments at the court, and mail one set of copies to the plaintiff. Mail these copies by first class mail. You do not have to use certified receipts or anything like that for the rest of the case.
6. It is important to keep your copies, and any other copies of documents dealing with this case, in a folder for future reference.